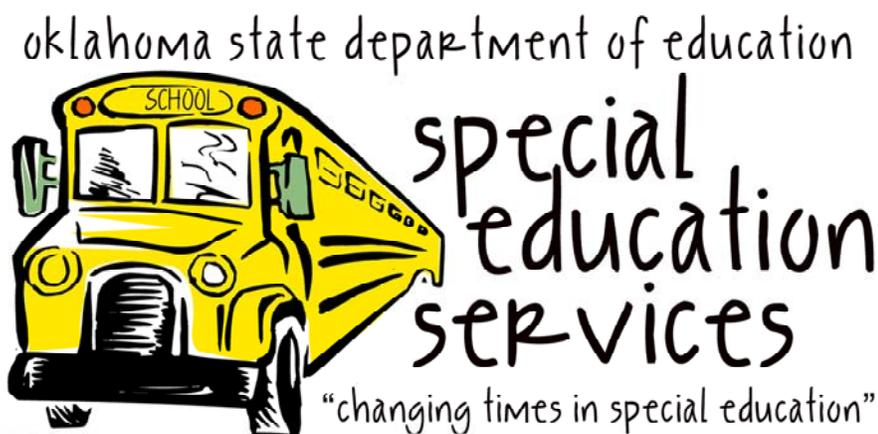


# Technical Assistance Document

## Identifying and Assessing English Language Learners with Disabilities



**Oklahoma State Department of Education  
Special Education Services**

**May 2007**

**Sandy Garrett  
State Superintendent of Public Instruction**

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# Identifying and Assessing English Language Learners with Disabilities

## Purpose

The steady increase in the number of students in Oklahoma whose primary language spoken in the home is a language other than English has created a need for the development of state guidelines on appropriate identification of and educational intervention for English Language Learners (ELL) and bilingual students with disabilities. The purpose of this technical assistance guide is to provide school personnel with best practices for identifying and assessing students suspected of having disabilities.

Oklahoma has taken several important steps to address the educational needs of its ELL students.

- The State Board of Education approved the development of an ESL certificate to be available as an area of Oklahoma certification.
- In 2003, English language proficiency standards were first developed in Oklahoma. A copy of the standards was submitted to the United States Department of Education (USDE), Office of English Language Acquisition (OELA) on September 1, 2003. The standards were aligned with language arts, math, and science standards as well as with the English Language Development Assessment. These standards address all four domains of the English language: listening, speaking, reading, and writing.
- In January 2006, Oklahoma joined the World-Class Instruction Design and Assessment (WIDA) Consortium which developed the Assessing Comprehension and Communication in English State-to-State for English Language Learners (ACCESS for ELLs) English proficiency test.
- In January 2006, the Oklahoma State Board of Education adopted the ACCESS for ELLs English proficiency test to assess all English language learners in every Oklahoma school district.
- English Language Learners are required to participate in district and state assessments and to meet the same state learning standards as established for all students.

The ACCESS for ELL® assessment was developed through the World-Class Instructional Design and Assessment (WIDA) consortium. WIDA™ is a consortium of states dedicated to the design and implementation of high standards and equitable education opportunities for ELL students. Those participating states include Alabama, Delaware, the District of Columbia, Georgia, Illinois, Kentucky, New Hampshire, New Jersey, Maine, North Dakota, Pennsylvania, Oklahoma, Rhode Island, Vermont, and Wisconsin. All kindergarten through twelfth-grade ELL students in Oklahoma are assessed using the same test within the same testing window. All ELL students in Oklahoma are required to be assessed annually. The ACCESS for ELLs includes five levels: Kindergarten, 1-2, 3-5, 6-8, and 9-12. As required by law, the ACCESS for ELLs assesses five language areas: listening, speaking, reading, writing, and comprehension.

One-third of the ACCESS for ELLs test items are changed each year. Teachers from all participating states are encouraged to participate in the item writing course led by the Center for

Applied Linguistics. Items on every test are grouped thematically, and each theme addresses one of the five WIDA English language proficiency standards. Speaking and writing are the exceptions where there are integrated tasks and one theme/set of tasks that addresses two standards. An example of addressing Standard Four for Grade Level Cluster 9-12 Listening might center on the theme of scientific methods in a science lab. Items targeting lower level performance indicators might call on students to identify common scientific tools or objects graphically depicted. As the items progress in addressing higher levels of English language proficiency, the tasks might require students to follow multistep instructions in conducting a science experiment by choosing from a set of pictures or text. Students are given a context for using academic language in a real school situation.

The ACCESS for ELLs is a secure test which is based on the *No Child Left Behind Act of 2001* and has a specific testing window. Test security must be followed and all materials must be accounted for. The ACCESS for ELLs was adopted by the Oklahoma State Board of Education; therefore, the test security guide is applied as it is to the Oklahoma Criterion-Referenced Tests. All administrators must sign confidentiality statements, and no testing materials may be reproduced for any purposes. District and test administrators are accountable for maintaining test security and password access to training since it contains operational test items. The test must be given by certified teachers, and those teachers must also take an online test and score eighty percent or higher to be able to administer the ACCESS for ELLs. Teachers score the speaking test, but reading, writing, and listening tests are scored by an outside vendor who provides production, distribution, scoring, and reporting services. Once the testing window closes and all schools in Oklahoma have returned their testing materials for scoring, the testing vendor begins the process of preparing score reports for both teachers and parents. At the district level, these score reports will be distributed to the appropriate individuals so that instruction may be improved on behalf of ELL students.

## **Nondiscriminatory Assessment of Culturally and Linguistically Diverse Students**

### **34 CFR § 300.304 Evaluation procedures, (c) (1) (i) (ii)**

*“ . . . (c) Other evaluation procedures. Each public agency must ensure that—*  
*(1) Assessments and other evaluation materials used to assess a child under this part—*  
*(i) Are selected and administered so as not to be discriminatory on a racial or cultural basis;*  
*(ii) Are provided and administered in the child’s native language or other mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to so provide or administer. . . .”*

The Individuals with Disabilities Education Act (IDEA) requires that nondiscriminatory assessment be conducted with students being considered for special education services. The standards for educational and psychological testing (American Psychological Association, 1985) and the Diagnostic and Statistical Measures Manual-IV (DSM-IV: American Psychiatric Association, 1994) both reference the need for assessment in linguistic factors before diagnosing individuals. This research continues to show that approximately five million individuals are inappropriately assessed each year (Padilla, 2001; Torres, 1991).

With the *No Child Left Behind Act of 2001* (NCLB), school districts are required to show adequate yearly progress (AYP) for all students in all subgroups. Special education and ELL students typically test lower than non-ELL students and nondisabled students. The mandates of IDEA and the accountability requirements of NCLB demonstrate the need for improving the evaluation process to appropriately identify and instruct English language learners with disabilities. The following guidelines provide a model that identifies procedures for referral, assessment, and instruction of ELL students. These guidelines will provide consistency in identifying students with disabilities from one district to the next.

The only timelines for providing special education evaluations for ELL students are the timelines that apply to all students. ELL students are not required to be in the United States for a period of time, nor are they required to receive English-language instruction before special education assessments can be provided. Federal regulation states that children must be assessed in their native language. A child cannot be denied a full and individual educational evaluation based on limited English proficiency. Upon completion of the administration of assessments and other evaluation measures, a group of qualified professionals and the parent of the child determine whether the child is a child with a disability. A child *“must not be determined to be a child with a disability if the determinant factor for that determination is ... limited English proficiency ...”* (34 CFR § 300.306 (b) (1) (ii))

## **Culture and Acculturation**

Personnel involved in teaching, assessing, counseling, or interviewing English language learners and their families need to develop an understanding of differences in culture and acculturation. Acculturation is the process of adopting the cultural traits or social patterns of another group. Culture is the totality of socially transmitted behavior patterns, art, beliefs, institutions, and all other products of human work and thought that is characteristic of a community or population. Culture and acculturation make up the student’s worldview. This information about culture must be factored into the processes of prereferral, referral, and/or intervention decisions. Educators must take into account an individual’s social, economic, political climate, family influences, personal characteristics, experience, gender, sexuality, cultural background, and spirituality (Flores, Lopez, De Leon, 2000). If evaluators are not aware, or lack sensitivity, experience or training to adequately account for the cultural and linguistic needs of students, they are not only conducting an unethical assessment but also are in violation of IDEA. Misperceptions, negative stereotyping, miscommunication, and bias in assessment procedures and interpretation can lead to incorrect results from not having an understanding of one’s worldview (Sattler, 1988).

According to Lopez, Flores, Manson-Montoya, Martinez, Meraz, and Romero (2001), culture is a component that is often misunderstood. This complex web of values and behaviors shared by a group of people influences characteristics such as food preferences and clothing as well as less obvious characteristics such as spiritual beliefs, family values, modes of thinking, and patterns of discourse. One is molded by one’s culture. Knowledge and understanding of the child and his family’s culture by the evaluator is essential to appropriate identification of and instructional recommendations for an English language learner with a disability.

It is important for the evaluator to distinguish behavioral issues from acculturation issues. Acculturation is the process of adapting to a new culture. There are two outcomes of acculturation: assimilation or biculturalism. The first, assimilation, results in a loss of one's cultural identity and adapting to the majority culture's customs and beliefs. The second, biculturalism, results in maintaining one's native culture and beliefs while learning to navigate in another culture. Children and families from different cultures often experience "acculturative stress" when faced with a majority culture that holds a different set of values and beliefs (Padilla, 1980).

Padilla describes three stages of adaptation to the new culture that can occur, both at individual and group levels. These stages are:

1. Adjustment to the majority culture occurs when the student adopts the new culture's language, traditions, and beliefs. At this stage, the student may exhibit a total denial of their true ethnic cultural values and beliefs. These students are often viewed as "sell-outs" of their culture.
2. Reaction to the majority culture occurs when the student reacts to the new culture and challenges the new culture. The student begins to question having to adapt to the new cultural norms of the new majority society.
3. Withdrawal from the majority culture occurs when the student segregates from the new majority society in order to maintain their native cultural norms. The student may only communicate in their native language and avoid contact with the majority culture.

Bernal and Knight (1997) maintain that ethnic identity is separate from acculturation while other theorists use the two terms interchangeably. Ethnic identity is the beliefs and attitudes individuals have toward themselves, members of the same minority group, members of different minority groups, and members of the majority group (Sue and Sue, 1990). Assessment instruments that specifically assess acculturation have been normed on adults and follow a less than adequate approach in identifying the stage of acculturation that K-12 linguistic and culturally diverse students may be experiencing. Evaluations often assume that since language has been assessed, the goal of conducting a nondiscriminatory assessment is complete. Language is only one aspect of culture. Assessment of acculturation must be conducted.

A recommended functional approach for assessment of acculturation is to interview the student and family (Ponterotto, Gretchen, & Chaubahan, 2001). The stages of the acculturation process are a great framework to use in developing interview questions to establish a case history.

## **Overview of Second Language Acquisition Theory**

Language can be defined as "a set of arbitrary symbols (words) which are placed in an orderly relationship with one another according to conventions accepted and understood by the speakers for the transmission of messages" (Girsdansky, 1963). Languages are systematic in that they contain a sound system (phonology), word-forming system (morphology), a phrase and sentence forming system (syntax), a vocabulary (lexicon), and a communication purpose (pragmatics). The development of a language is dependent upon meaningful interaction with other speakers of that language.

It is thought that children acquire a second language in the same manner they do the first, beginning with the processes of listening and building receptive language skills followed by the use of language expressively. Younger children, pre-puberty, *acquire* a language as a natural result of using the language in a meaningful way. Children from puberty to adults tend to *learn* a language, having to consciously focus on the structure of the language including its grammar, sounds, and rules (Krashen, 1982).

If a child's first language is adequately developed and there is no indication of developmental delays, it can provide the basis for the transfer of what has been mastered in the first language (phonological rules, language structures, and vocabulary) to the second language. If the first language is not developed to the level of proficiency, it cannot support the second language. As a result, negative consequences in both cognitive and educational domains could occur (Cummins, 1984).

If second language learners have few opportunities to use their first language, they may experience a loss in the proficiency of their first language. Children may then score low on formal tests in either language. The possibility of language loss should be considered when observing children who are having problems communicating in their native languages (Mattes, 1991).

The behaviors associated with learning and struggling to understand a second language can be confused with disabled behaviors. Second language usage errors occur in the same way that developmental errors occur with speakers of a first language. For culturally and linguistically diverse children who have been referred to special education programs for possible developmental delays or academic/behavioral/speech concerns, the critical issue evaluators face is to distinguish a language difference from a language disorder (Roseberry-McKibbin, 1995). Cumins (1984) suggests that it takes an individual student an average of two to three years to acquire what is referred to as social language. This is known as Basic Interpersonal Communication Skills (BICS). It takes an average of five to seven years for an individual to acquire language skills needed for academic success known as Cognitive Academic Language Proficiency (CALP) (Yansen & Shulman, 1996). BICS and CALPs are not always considered when a student is referred for special education assessment. Educators think that because the student is communicating with others, but does not experience academic success, the student may have a learning disability and is often referred for testing. Students at greatest risk for being misdiagnosed are those who have received English as a Second Language (ESL) instruction long enough to learn BICS but who need more time to develop CALPs.

As more limited English proficient children enter educational programs, it becomes important for professionals to know how to assess language proficiency and language development (i.e., McLaughlin, Blanchard, & Osanai, 1995). Evaluators need to be aware of how test performance can be influenced by inequality in educational opportunities, parents' educational attainment, cultural orientation, language spoken at home, proficiency in English, socialization experiences, family structure, family income, and level of motivation to do well (Padilla, 2001). It is important that schools develop procedures that take issues into consideration. Too often evaluators rely solely on home language surveys to describe the depth of a child's language experience and disabilities.

Under IDEA, evaluators are required to conduct assessments in the child's native/dominant language. It is important to determine the language or languages in which the child is most proficient.

## **Definition**

### **34 CFR § 300.29 Native language.**

*“(a) Native language, when used with respect to an individual who is limited English proficient, means the following:*

*(1) The language normally used by that individual, or, in the case of a child, the language normally used by the parents of the child, except as provided in paragraph (a) (2) of this section.*

*(2) In all direct contact with a child (including evaluation of the child), the language normally used by the child in the home or learning environment.*

*(b) For an individual with deafness or blindness, or for an individual with no written language, the mode of communication is that normally used by the individual (such as sign language, Braille, or oral communication).”*

## **General Principles for Teaching ELL Students**

Four key principles for language acquisition can be applied to the mainstream classroom. These principles are important for all students, but are of particular importance to English language learners (Jameson, 1998).

### Increase Comprehensibility

It is important to provide many nonverbal clues such as pictures, objects, demonstrations, gestures, and intonation cues to early or intermediate language learners. As competency develops, other instructional strategies include building from language that is already understood, using graphic organizers, hands-on learning opportunities, and cooperative or peer tutoring techniques.

### Increase Interaction

It is important to provide opportunities for students to use their language skills in direct communication in real-life situations. Strategies such as cooperative learning, study buddies, project-based learning, and one-to-one teacher/student interactions can offer ELL students opportunities to use their new language.

### Increase Thinking/Study Skills

Strategies to develop more advanced, higher order thinking skills include explicitly teaching and reinforcing study skills and test-taking skills, modeling problem-solving strategies aloud, and asking higher order thinking questions. It is important that educators have high expectations for all students.

### Use Native Language

It is important to remember that incorporating a student's native language into their instruction can be a successful teaching strategy. Use of the student's native language can provide a valuable support as well as giving validity to a minority language.

## **Use of Translators and/or Interpreters**

A major problem faced by school personnel is the availability of trained translators and interpreters. Schools should recruit and train members of the community to act as translators/interpreters. *Translators* and *interpreters* should not be used interchangeably. They have different meanings and functions. A *translator* is one who conveys information that is written. An *interpreter* is one who conveys information from one language to the other orally (Weber, 1990). Translators may be able to give information in oral and written modalities. Interpreters must be able to communicate statements and concepts appropriate to educational settings.

Training and certification for translators/interpreters is of vital importance. Training must emphasize knowledge of educational terms, along with cultural and linguistic competence. The following criteria should be considered in the selection of a translator/interpreter:

- Fluency in English and native language of student or parents.
- High school diploma with communication skills adequate for professional tasks.
- No family relationship to student or parents.
- Ability to stay emotionally uninvolved with discussions.
- Ability to maintain confidentiality.

School personnel should meet with the translator/interpreter prior to any meeting with parents or child. It is important to include the following:

- Explanation of the activity and their expected role.
- Confidentiality, neutrality, professional behavior.
- Assessment procedures that will be used.
- Terminology that will be used.
- Language and cultural differences that may surface, such as differences in dialect.

A qualified translator/interpreter should be utilized when any form of written communication is given to the student or parents. A translator can be an asset in discussing parent notification, parent rights, and the student's IEP, even when these documents are written in the parent's language. School personnel should address their statements to the parents—not the interpreter.

## **Not Feasible to Conduct Procedures in Student's Native Language**

All evaluation procedures, tests, and other evaluation materials must be selected and administered so as not to be discriminatory on a racial or cultural basis and provided and administered in the child's native language or other mode of communication. In situations where it is clearly not feasible to provide and administer tests in the child's native language or mode of communication for a child with limited English proficiency, the LEA must still obtain and consider accurate and reliable information that will enable the team to make an informed decision as to whether the child has a disability and the effects of the disability on the child's educational needs. The federal regulation at 34 CFR § 300.304 requires that:

- Assessments and other evaluation procedures are selected and administered to ensure that they measure the extent to which a child has a disability and needs special education, rather than measuring a child's English language skills.
- A variety of assessment tools and strategies are used to gather relevant functional and developmental information about the child.
- Any standardized tests given to a child are valid for the specific purpose for which they are used and are administered by trained and knowledgeable personnel in accordance with any instructions provided by the test publisher.
- No single procedure is used as the sole criterion for determining whether an ELL child or student has a disability.

Additionally, if an assessment is not conducted under standard conditions, information about the extent to which the assessment varied from standard conditions, such as the qualifications of the person administering the test or the method of test administration must be included in the evaluation report.

### **Problem-Solving Strategies**

The use of problem-solving strategies can be beneficial in working with ELL students. A problem-solving process established at the building level can provide a framework for school personnel for determining when further interventions and assessments are needed. Problem-solving strategies are based on multiple tiers of intervention service deliveries. Student progress determines their movement through multiple tiers of instruction. At this time the OSDE-SES is working on one such strategy, Response-to-Intervention (RtI), that can be used in identifying students with specific learning disabilities. This RtI model, when completed, will also benefit identification and assessment for ELL students.

An example of a problem-solving strategy designed around a three-tiered model could include these basic components:

Tier I--General screening and instruction. All students in Oklahoma are screened for English language proficiency if the home language survey indicates that English is not the primary language of the home. Instruction in the regular education classroom and/or English as a Second Language (ESL) class begins. Data is collected by the regular education/ESL teachers when the ELL student's progress begins to lag behind his peer group.

Tier II--Early intervention and assistance. Intervention strategies can include working with ELL students in smaller groups, providing tutoring, shortening assignments, peer tutoring, reading labs (Title I), and English language instruction in Title III programs.

Tier III--Determination of need for further testing. As teachers document that interventions have become more intensive, and the student is lagging further behind his peer group, a referral for special education testing may be initiated.

A core group of professionals who can review information about the student and provide intervention strategies to assist the regular education teacher in working with ELL students could

also be part of the framework. Such “Student Assistant Teams” (SAT) members could include: the regular education teacher, ESL teacher, parent, principal, reading/math specialists, special education teacher, or any professionals deemed necessary for a specific student.

### **Federal Funds for Early Intervening Services**

School districts have the flexibility to set aside 15 percent of the IDEA, Part B funds (34 CFR § 300.226) to develop and implement coordinated, early intervening services (EIS). These funds can be used in implementing EIS services that could include: 1) professional development (which may be provided by entities other than school districts) for teachers and other staff to enable them to deliver scientifically based academic and behavior interventions; and 2) providing educational and behavioral evaluations, services, and supports. For more information, contact the Oklahoma State Department of Education (OSDE), Special Education Services (SES) at 405-521-4876.

### **Prereferral/Referral**

Every child in the United States who has a disability and needs special education is entitled to a free appropriate public education (FAPE) under a Federal law called Individuals with Disabilities Education Act (IDEA). One provision of IDEA is specific guidelines for evaluation and identification of specific learning disabilities (SLD). School districts may use a process based on the child’s response to scientific, researched-based intervention. School districts will assess children suspected of having a specific learning disability by providing scientifically based interventions designed to help children be more successful in the regular education classroom. After determining that a child’s disability is not a result of limited English proficiency, this RtI model, will also benefit identification and assessment for ELL students.

School districts use prereferral/referral processes to determine if a special education evaluation is necessary. Prereferral and referral are sometimes used interchangeably. Prereferral processes are those procedures that occur *before* determining that a special education evaluation is necessary. For the problem-solving strategy model, all interventions at each tier level could provide prereferral documentation. Referral processes are those procedures that occur *after* deciding that a special education evaluation is necessary. Tiers II and III could provide documentation for referral in the problem-solving model.

Classroom teachers perform many prereferral procedures in working with students. The intention of the prereferral process is to provide the child with interventions in the general education classroom to help the child become successful. The purpose is to eliminate factors such as teaching methodologies, class size, rate of instruction, and lack of previous instruction as being the reason a child is not progressing. Prereferral activities could include one-on-one teaching, small group instruction, tutoring, and hands-on activities.

## **Referral Process**

After interventions in the regular education classroom have been exhausted, the child may be referred for a special education evaluation. Federal guidelines dictate what must be included as part of the referral process. A group of qualified professionals and the parent shall review existing data. Existing data may include evaluations and information provided by the parents, current classroom-based assessments and observations, and observations by teachers and other qualified related services personnel. Based on the review of data, and input from the child's parents, this documentation is used to identify what additional information is needed to determine:

- The present levels of performance and educational needs of the child.
- Whether the child has a particular category of disability.
- Whether the child needs special education and related services.

After determining what data is needed, the school receives informed parental consent to evaluate the child. The school district has 60 days from the time of receiving consent until the testing must be completed. Upon completion of the evaluation, a group of qualified professionals and the parent examine the evaluation data to determine if the child has a disability as defined by IDEA. If the child is determined to have a disability, an Individualized Education Program (IEP) is written. Based on the goals and objectives of the IEP, the team determines the least restrictive environment (LRE) in which the child can successfully work toward achieving these goals. (It should be noted that there are many guidelines that must be followed in the above-described process. Please refer to the *"Policies and Procedures for Special Education in Oklahoma"* for more detailed information.)

## **Assessment of Achievement**

It is recommended that results of norm-referenced tests be supplemented with other types of performance-based assessments. When norm-referenced and performance-based assessments are compared, evaluators can more accurately determine a disability. The following types of performance-based assessments can be utilized:

- Informal tests such as criterion-referenced tests. These tests measure a student's skills rather than compare them to other students.
- Curriculum-based assessments assess a student's abilities, strengths and weaknesses, using the materials that are used to teach the student.
- Portfolios provide samples of a student's achievement and progress in different areas over time.
- Observation is very important during the assessment process. Students should be observed on a continual basis over multiple settings.

## **Assessment of Intelligence**

According to A. Ortiz (2004), technically sound tests of intelligence do not exist in languages other than English. In order to reduce bias, it is necessary for evaluators to have knowledge of :

- The adequacy of representation of each norm or comparison group.
- The full range of what is being measured and what is not.
- The inherent and linguistic demands and cultural loading of each test.

When racial and ethnic groups are included in the normative sample, these tests are not generally normed for ELLs. Results may demonstrate lowered measures and incorrect conclusions may be drawn. Verbal measures of ability become measures of a student's proficiency in English. It is preferable to use nonverbal measures of intelligence over verbal measures. However, the nonverbal measures cannot predict how students will perform in the classroom and must be supported with additional information (A. Ortiz, 2004).

Before testing, the evaluators are highly encouraged to perform the following:

- Suggest that a problem-solving strategy/early intervention process occurs before beginning a formal evaluation.
- Evaluate the situation to make sure the referral is not due to bias or lack of knowledge.
- Observe the student in multiple settings to compare his/her behavior to peers.
- Describe the expected behaviors needed for success in a setting and compare how the student is functioning to those criteria.

## **Test Modifications**

When administering standardized testing to ELL students, the following modifications can be considered:

- Bilingual administration.
- Use extended instructions on sample items.
- Mediation of concepts to ensure comprehension before testing items.
- Repeating items to facilitate comprehension.
- Extend or eliminate time limits.
- Accept alternate responses (responses in another language, nonverbal gestures)
- Use a querying of responses.

## **Written Report**

Reporting assessment results through test scores alone may not give a sufficient picture of the student's ability. Because of the lack of reliable and valid testing measures and the lack of standardized tests for ELL students, it is important that the evaluator's written report incorporate the following:

- All adaptations of testing instruments and procedures.
- Primary language spoken in the home.
- Ethnicity.
- Sociological information from family history.
- Health and medical history.
- Education history.
- General observations during testing.
- Any changes in test standardization (use of interpreter/translator, responses in another language/nonverbal responses).
- Language proficiency.
- Student's strengths and weaknesses on test measures.
- Eligibility determination.
- Summary and impressions.
- Recommendations.

### **Team Considerations**

When meeting as a team to determine eligibility, various factors should be considered. The following questions can help the team in establishing whether a child has a legally defined disability. A discussion of these questions can also assist in ruling out other sources of difficulty.

- Does the problem exist in different settings—general education, ESL classes, at home?
- Are the problems evident in the student's first language?
- Does the student have trouble following instructions in the native language as well as English?
- Has the student learned to read in his native language?
- Is the student progressing in learning English at about the same level as the student's ELL peers?
- Can any difficulties be explained by cross-cultural differences? (For example, lack of eye contact may be appropriate in the child's native culture but be interpreted as defiance by a teacher.)
- Does the child exhibit extreme test anxiety?
- Are there any procedural mistakes in assessment? (For example, was the child's age miscalculated?)

If the team determines that the student is eligible for special education services, the program should be designed with the student's needs in mind. The IEP team meeting should be conducted with as many of the multidisciplinary team as possible, including the parents.

## **Implementing the Individualized Education Program (IEP)**

The IEP identifies the student's present levels of performance including both strengths and weaknesses. The strengths should be incorporated into the IEP along with the identified areas of weakness in both languages as necessary. Language and cultural differences of the student can and should be addressed in the IEP as an academic strength and should be incorporated to strengthen learning.

The ultimate goal is for students with disabilities to meet all the same standards as their nondisabled classmates. This is where the IEP team should start—with standards that are being addressed in the general education classroom. All service providers on the IEP team need to collaborate with others in providing a coordinated program that will help the student build English language skills as well as addressing the identified needs. Any additional support should be noted on the IEP. For example, if ESL support/consultation will be provided for the special education teacher and the classroom teacher. Parents should be included as service providers, with the anticipation that they can make efforts to extend appropriate tasks at home with the child.

### **Final Note**

It is important that school districts make every effort to ensure that qualified examiners administer assessments of English language learners. Assessment personnel should address their own knowledge and skill for evaluating ELL students to determine if they can effectively work with these students. If possible, school districts should make every effort to use bilingual evaluators.

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## **APPENDIX**

## Addressing Disabilities and Language

<b>Students with Learning Disabilities</b>		
You might see:	Responses:	Ways to include peers:
<ul style="list-style-type: none"> <li>*Student is disruptive when independent work is required.</li> <li>*Student misinterprets social cues.</li> <li>*Student exhibits inconsistent work of poor quality.</li> <li>*Student gives up easily.</li> <li>*Student forgets English terms learned.</li> <li>*Student resists acquiring new language skills.</li> </ul>	<ul style="list-style-type: none"> <li>*Be sure student understands and can do assignments.</li> <li>*Develop behavior management plan.</li> <li>*Work with special educators to teach learning strategies; provide extra time.</li> <li>*Promote success with achievable goals; provide strong reward system.</li> </ul>	<ul style="list-style-type: none"> <li>*Match student with peer tutor.</li> <li>*Discuss ways to help within behavior management plan.</li> <li>*Create peer partnership for practice.</li> <li>*Use age appropriate materials for peer tutoring.</li> <li>*Have student tutor others.</li> <li>*Pair with peer who is learning English consistently.</li> <li>*Provide opportunities for practice of English with peers.</li> </ul>

<b>Students with Emotional/Behavior Disorders</b>		
You might see:	Responses:	Ways to include peers:
<ul style="list-style-type: none"> <li>*Students will not follow directions.</li> <li>*Student uses inappropriate language.</li> <li>*Student is rarely on task.</li> <li>*Student is sad and will not interact.</li> <li>*Student may be angry if pushed to learn English too quickly.</li> <li>*Student may withdraw and refuse to learn English.</li> </ul>	<ul style="list-style-type: none"> <li>*Build on strengths and interests.</li> <li>*Provide “clam-down” time.</li> <li>*Teach social skills.</li> <li>*Build on interests to create reward system.</li> <li>*Recognize warning signs.</li> <li>*Refer for help when necessary.</li> </ul>	<ul style="list-style-type: none"> <li>*Use group-oriented contingencies.</li> <li>*Pair student with peers to help model and practice.</li> <li>*Use peer tutoring and buddy system.</li> <li>*Have peers write/present positives about student.</li> <li>*Model positives of learning English through other students.</li> <li>*Engage student with peers that have positive attitudes about learning English.</li> </ul>

<b>Students with Mental Retardation</b>		
<b>You might see:</b>	<b>Responses:</b>	<b>Ways to include peers:</b>
<ul style="list-style-type: none"> <li>*Student exhibits distracting behaviors.</li> <li>*Student gives unwanted hugs.</li> <li>*Student shows boredom.</li> <li>*Student shows learned helplessness.</li> <li>*Student will acquire English very slowly.</li> </ul>	<ul style="list-style-type: none"> <li>*Model acceptance.</li> <li>*Role play new behavior.</li> <li>*Provide alternatives (High five).</li> <li>*Keep high expectations; modify focus.</li> <li>*Create opportunities to succeed, lead.</li> </ul>	<ul style="list-style-type: none"> <li>*Teach peers to show acceptance.</li> <li>*Have peers practice alternatives.</li> <li>*Create peer tutoring system.</li> <li>*Pair with friend/partner.</li> <li>*Provide opportunities to practice English skills with peers in play and fun situations.</li> </ul>

<b>Students with Speech and Language Disorders</b>		
<b>You might see:</b>	<b>Responses:</b>	<b>Ways to include peers:</b>
<ul style="list-style-type: none"> <li>*Student has difficulty expressing ideas in a group.</li> <li>*Student may play alone.</li> <li>*Student may not use comparative forms.</li> <li>*Student may overly rely on teacher.</li> <li>*Student will have difficulty with English and progress will be very slow.</li> </ul>	<ul style="list-style-type: none"> <li>*De-emphasize disability in asking for information.</li> <li>*Give varied responsibilities.</li> <li>*Value contributions.</li> <li>*Structure activities for predictable correct forms; use patterns in other contexts.</li> <li>*Give specific ideas for initiating interaction with others.</li> </ul>	<ul style="list-style-type: none"> <li>*Include in small groups of students.</li> <li>*Pair students to match interests in tasks.</li> <li>*Promote peer games in which ability to use comparatives determines win.</li> <li>*Construct groups for student to lead.</li> <li>*Provide opportunities to practice English emphasizing formal and informal language skills.</li> </ul>

<b>Students with OHI (Other Health Impairment)</b>		
<b>You might see:</b>	<b>Responses:</b>	<b>Ways to include peers:</b>
<ul style="list-style-type: none"> <li>*Student is frequently absent or has health problems.</li> <li>*Student is self-conscious and withdrawn.</li> <li>*Student lacks strength and alertness.</li> <li>*Student may appear confused, bored, or overwhelmed.</li> <li>*Student's English language acquisition may be sporadic and slow.</li> </ul>	<ul style="list-style-type: none"> <li>*Call/visit when absent.</li> <li>*Provide extra support.</li> <li>*Structure situations of idea sharing.</li> <li>*Provide encouragement and extra help.</li> <li>*Create meaningful tasks.</li> <li>*Talk about joys and frustrations related to learning English.</li> </ul>	<ul style="list-style-type: none"> <li>*Set up support system.</li> <li>*Provide tutoring opportunities.</li> <li>*Have peers locate/share data on tasks.</li> <li>*With peers, have student develop system to cue others when not feeling well.</li> <li>*Provide English language games and activities that the child can do at home with friends and siblings.</li> </ul>

(DeLeon, 2002)

## Resources

### Agencies:

Oklahoma State Department of Education  
Special Education Services  
2500 North Lincoln Boulevard  
Oklahoma City, Oklahoma 73105-4599  
405-521-4862

Oklahoma State Department of Education  
Bilingual Education  
2500 North Lincoln Boulevard  
Oklahoma City, Oklahoma 73105-4599  
405-521-3196

### Assessments:

(This list is by no means an exhaustive one.)

**The Riverside Publishing Company**  
**A Division of Houghton-Mifflin**  
**3800 Golf Road, Suite 100**  
**Rolling Meadows, IL 60008**  
<[www.riverpub.com](http://www.riverpub.com)>

Some of the tests offered by Riverside are:

Woodcock-Muñoz Language Survey—Revised (WMLS-R)  
Norm-reference measure of reading, writing, listening, and comprehension.  
Establishes language proficiency level in English or Spanish.

Bateria III Woodcock-Muñoz  
Provides a comprehensive system for measuring general intellectual ability (including bilingual and low verbal), specific cognitive abilities, scholastic aptitude, oral language, and academic achievement.

Battelle Developmental Inventory, Spanish Edition (BDI-2 Spanish)  
Developmental assessment for early childhood.

**Pearson Education**  
**One Lake Street**  
**Upper Saddle River, NJ 07458**  
<[www.pearsoned.com](http://www.pearsoned.com)>

Some of the tests offered by Pearson Education are:

Test of Phonological Awareness in Spanish (TPAS)  
Measures phonological awareness ability in Spanish-speaking children.  
AGS Assessments, Pearson Education  
<[www.ags.pearsonassessment.com](http://www.ags.pearsonassessment.com)>

TVIP: Test de Vocabulario en Imagenes Peabody  
Measures the vocabulary of Spanish-speaking and bilingual students.  
AGS Assessment, Pearson Education

**Institutions with ESL programs:**

Oklahoma City University  
Teaching English as a Second Language  
2501 North Blackwelder  
Oklahoma City, Oklahoma 73106  
(800) 633-7242

Oklahoma State University  
English Department  
College of Arts and Sciences  
205 Morrell Hall  
Stillwater, Oklahoma 74078  
(405) 744-9474  
<[www.english.information@okstate.edu](mailto:www.english.information@okstate.edu)>

University of Central Oklahoma  
Bilingual/Teaching English as a Second Language Multicultural Education  
100 North University Drive  
Edmond, Oklahoma 73034  
(405) 974-3851

University of Oklahoma  
Graduate College  
731 Elm Avenue, Room 100  
Norman, Oklahoma 73109  
(405) 325-3811

## Sample Case History Questions

Where is your child's place of birth? (city, state, country)

How long has your child been in the current school district? In the U. S.?

In what countries, other than the U. S., has your child attended school?

What ethnicity is your child?

What languages can your child speak? Read?

How many siblings are in the home?

In what birth order does your child fall?

Who does your child associate with at school? At home?

What traditions are followed at home?

In what language does your child read? Write? Watch television?

What is your (parent) occupation?

What is your perception (parent) of cultural differences?

Has your child had any major injuries or illnesses?

What future plans do you have for your child?

## Flow Chart General Rules for Evaluation

